GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS – PR&RD Department - Allegations of irregularities in the work 'Construction of SS Tank to provide sustainability to CPWS Scheme to Nuzendla and other habitations in Nuzendla Mandal in Guntur District' - Disciplinary proceedings against Sri U.Mallikarjuna Rao, AEE, RWS&S, Guntur District under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 – Articles of Charge – Orders - Issued.

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PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.VI) DEPARTMENT

G.O.RT.No. 304 **Dated: 25-03-2019**

Read the following:

1. From CE (V&QC), RWS&S Department, Lr.No.AE-2/DEE/VQC/NRDWP/CPWSS NUZENDLA/17-18, Dt.30.05.2018.
2. From ENC, RWS&S, AP, Vijayawada, Lr.No.Vig(3)/RWS&S/41201/2018, Dt.31.10.2018.
3. G.O.Rt.No.302, PR&RD (Vig.VI) Department, Dt.25.03.2019.

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ORDER:

It is proposed to hold an inquiry against Sri U.Mallikarjuna Rao, AEE, RWS&S, Guntur District, in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I and II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure III and IV).

3. Sri U.Mallikarjuna Rao, AEE, RWS&S, Guntur District, is directed to submit a Written statement of his defence within 10 days of the receipt of this order.

4. Sri U.Mallikarjuna Rao, AEE, RWS&S, Guntur District, is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should therefore, specifically admit or deny each article of charge.

5. Sri U.Mallikarjuna Rao, AEE, RWS&S, Guntur District, is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of APCS (CC&A) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex parte.

6. Attention of Sri U.Mallikarjuna Rao, AEE, RWS&S, Guntur District, is invited to Rule 24 of the Andhra Pradesh Civil Services(Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that Sri U.Mallikarjuna Rao, AEE, RWS&S, Guntur District, is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the order be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR&RD)

To
Sri U.Mallikarjuna Rao, AEE, RWS&S, Guntur District, **through** Engineer-in-Chief, Rural Water Supply & Sanitation, Andhra Pradesh, Vijayawada.
The Engineer-in-Chief, Rural Water Supply & Sanitation, Andhra Pradesh, Vijayawada (with a request to serve the charges to the individual and furnish a served copy to Government)
SF/SC.

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Annexure – I

Statement showing the articles of charge framed against Sri U.Mallikarjuna Rao, AEE, RWS&S, Guntur District

Sri U.Mallikarjuna Rao, has worked as AEE, RWS&S, Nuzendla Project, between 06.09.2017 to 30.05.2018 (the date of enquiry report submitted by CE, RWS&S) and during his working period, he has committed the following irregularities:-

Charge-I:-

That Sri U.Mallikarjuna Rao, AEE, RWS&S, Guntur District, has executed poor quality work and recorded measurements for compacted layers of embankments without following the Technical specifications, in execution of "construction of SS Tank to provide sustainability to CPWS Scheme to Nuzendla and other habitations in Nuzendla Mandal in Guntur District", resulting in breaching of embankment thereby causing infructuous expenditure/loss of Rs.7,86,30,672.00 to the Government.

Charge-II:-

That Sri U.Mallikarjuna Rao, AEE, RWS&S, Guntur District, has allowed 15.00 kms lead as against the shortest lead of 7.00 Kms for borrow soils from Lingamukkapalli MI Tank to S.S. Tank construction site near Mruthyunjayapuram, without verifying the actual shortest lead for borrow soils, in execution of the work "construction of SS Tank to provide sustainability to CPWS Scheme to Nuzendla and other habitations in Nuzendla Mandal in Guntur District", resulting in total financial loss to the Government to the tune of Rs.2,79,36,471.26.

Charge-III:-

That Sri U.Mallikarjuna Rao, AEE, RWS&S, Guntur District, has not verified the suitability of soils for formations of Bed Carpet inside the summer storage tank and used unsuitable soils in execution of the work "construction of SS Tank to provide sustainability to CPWS Scheme to Nuzendla and other habitations in Nuzendla Mandal in Guntur District", resulting in failure of SS tank and thereby expenditure becoming infructuous.

By his above mentioned acts, Sri U.Mallikarjuna Rao, AEE, RWS&S, Guntur District, failed to discharge his duties as per rules, not shown devotion to duty and exhibited conduct unbecoming of a Government Servant & thereby contravened Rules, 3(1) and 3(2) of APCS (Conduct) Rules, 1964.

K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR&RD)

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Annexure – II

Statement of imputations of misconduct in support of Charges framed against Sri U.Mallikarjuna Rao, AEE, RWS&S, Guntur District

ENC, RWS&S has submitted the enquiry report on the occurrence of breach to S.S Tank in the work 'Construction of SS Tank to provide Sustainability to CPWS Scheme to Nuzendla and other Habitations' in Guntur. The following are the main findings/irregularities reported.

- The S.S Tank was breached **during its filling process** on North-East corner of earthen bund to a length of about 11m.
- The thickness of soil layers to be laid for formations of earthen embankment, as per technical specification shall be **up to 250 mm (0.25mt) before compaction** depending upon the type of equipment used for compaction. But, the **average thicknesses of the compacted layers** at the breached portion of the bund were varying between **0.30 mt to 0.51 mts (after compaction)** which indicates that compactions are **not as per standards** and proves the **poor compaction** of the soil layers in formation of earthen embankment.
- **Very high volume of work i.e., 39858.54 Cum.** of earthen bund was formed **in just 6 days** which is practically not possible.
- Without any authenticated supportive investigation reports regarding thickness of Clay blanket, **the working estimate was approved with 0.50mt thick Clay blanket,** and the work was executed with 0.50mt thick Clay blanket.
- The **working estimate** was approved with the cost of SS Tank **increased from 570.00 Lakhs to 716.15 Lakhs**, duly deleting the vital components such as Gravel backing and C.C Plank revetment.
- **The mandatory registers** that are to be maintained during the execution of SS. Tank i.e., Bench Mark Register, Site Order Register, Daily event Register, L.F.Books, Layer placement registers, Field level Register, Roller passage Register, were **not maintained**.
- The T.B.L of bund is 102.85 mts. The bund section at chainage 680.00mt, where breach occurred measured 5.65 mts (102.85 - 97.20 = 5.65mts.) which is the maximum height. The **bund section for 5.65** mts. was **not approved by competent authority**. The SE, RWS&S, Guntur has approved bund sections for 4.90 mt and 3.30 mt height only.
- At the time just before the breach of the bund the height of water column inside the S.S. Tank was 3.60 mts. (i.e., 101.30 - 97.20 - 0.50 = 3.60 mts.). **Bund Stability analysis for** the maximum height of water column (i.e., 102.85 - 97.20 – 0.50 **= 5.15 mts**.) **was not approved**.
- During the process of filling of water in to S.S. Tank for hydraulic testing to check the stability of earthen bund in all four sides, **seepage occurred** at water level 101.30mt**, through poorly compacted layers causing 11.00 rmts wide breach to earthen bund** at North-East corner of S.S.Tank at a chainage of 682.00 rmt.
- After occurrence of breach to earthen bund at North-East Corner of Summer Storage Tank, sudden draw down of water level took place, resulting in **all round shrinkage of bund** at +101.300 mts**.**
- When undisturbed soil samples were collected through core cutters as per procedure and % of compaction in different layers was calculated at different levels, it was found that **% of compaction in all layers were less than the required % compaction** of 98.00% to get proctor density.
- As per IS:12169-1987, Appendix-A, CH soils are fairly suitable for construction of earthen embankments. Whereas, the borrow soils from

Lingamukkapalli village Uracheruvu which are classified as CH and SC soils are used for formation of S.S.Tank.

- Without conducting detailed survey and investigations **15.00 Kms** lead was allowed for borrow soils from Lingamukkapalli MI Tank to S.S.Tank construction site near Mruthyunjayapuram for formation of S.S. Tank and also for Key Trench, as against the shortest lead of **7.00 kms.**

The above findings/irregularities are summarized as below.

(i) Without conducting detailed survey and investigations, lead of **15.00 Kms** was allowed for borrow soils as against the shortest lead of **7.00 kms**. This alone has resulted in a **financial loss** to the Govt. to the tune of **Rs.2.79,36,471.26/-**

(ii) The borrow soils which are classified as CH and SC soils are used for formation of S.S.Tank, instead of CH soils.

(iii) Mandatory registers for the work were not maintained. Items of the work with deviations were executed in the field which were not approved by the competent authorities.

(iv) Poorly compacted layers cannot be rectified in any method, since they were formed one after other as per the levels. The staff at different levels have not checked the quality of the work at appropriate time resulting in delivery of poor quality/failure of the work.

Thus, the construction of Summer Storage Tank was not done as per the technical specifications and guidelines specified in IS codes, ultimately delivering poor quality of work, resulting in failure of earthen bund in the form of breach as well as loss/wasteful expenditure to the government to the tune of **Rs. 7,86,30,672/-** spent on S.S.Tank.

In the above, U.Mallikarjuna Rao, AEE, RWS&S, Nuzendla Project **is held responsible to the extent of commission of the following irregularities:-**

1. Recorded measurements of **5015.33 Cum** of **bund formation** on 16.06.2017, in page no.18 of M.B.No.202-A/15-16.
2. The thickness of the compacted layers was ranging between 0.30 to 0.51 mts, which shows that the **layers were not compacted as per technical specifications**, resulting **poor quality/embankment**. This clearly indicates that he has not supervised the work.
3. Without verifying the actual shortest lead for borrow soils, **allowed a lead of 15.00 Kms** as against the shortest lead of 7.00 kms for borrow soils from Lingamukkapalli MI Tank to S.S. Tank construction site near Mruthyunjayapuram. The resulting **financial loss** to the govt., is to the tune of **Rs.2.79 Cr**. This clearly indicates that Sri U.Mallikarjuna Rao has acted for **personal gain**.
4. Not verified the suitability of soils for formations of Bed Carpet inside the summer storage tank.
5. Recorded measurements of **26714.00 Cum** for **Bed Carpet**, in page no.21 of M.B.No.202-A/15-16. The thickness of the compacted layers were ranging between 0.28 to 0.35 mts, which were **not compacted as per technical specifications**. This clearly indicates that he has not supervised the work.
6. **Poorly compacted layers cannot be rectified** in any method, since they were formed one after other as per the levels, the entire bund formation has to be rejected. Thus, the total payment of Rs.**7,86,30,672.00** made towards construction of S.S. tank has become **infructuous /loss** to the Government.

By his above mentioned acts, Sri U.Mallikarjuna Rao, AEE, RWS&S, Guntur District, failed to discharge his duties as per rules, not shown devotion to duty and exhibited conduct unbecoming of a Government Servant & thereby contravened Rules, 3(1) and 3(2) of APCS (Conduct) Rules, 1964. Hence the charges.

K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR&RD)

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Annexure – III

List of documents on which the articles of charge framed against Sri U.Mallikarjuna Rao, AEE, RWS&S, Guntur District are proposed to be sustained.

From CE (V&QC), RWS&S Department, Lr.No.AE-2/DEE/VQC/ NRDWP/CPWSS NUZENDLA/17-18, Dt.30.05.2018 with all enclosures pages 1 to 185.

K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR&RD)

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Annexure – IV

List of witnesses by whom the articles of charge framed against Sri U.Mallikarjuna Rao, AEE, RWS&S, Guntur District are proposed to be sustained.

i) Sri S.Kanthanath, the then Chief engineer, RWS&S, Vijayawada.
ii) Sri B.V.Nageswara Rao, the then DEE, V&QC, Vijayawada.
iii) Sri NVK Durga Prasad, the then DEE, V&QC, Guntur.
iv) Sri B.Sandeep Reddy, the then AEE, RWS&S, V&QC Sub Division, Guntur.
v) Sri S.Anusha, the then AE, RWS&S, V&QC Sub Division, Guntur.
vi) Sri D.Rama Krishna, the then AEE, RWS&S, V&QC Sub Division, Guntur.

K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR&RD)

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